

Article - Education

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§7-404.

(a) (1) Each county board or county health department shall provide hearing and vision screenings for all students in the public schools.

(2) Each county health department shall provide and fund hearing and vision screenings for all students:

(i) In any private school that has received a certificate of approval under § 2-206 of this article; and

(ii) In any nonpublic educational facility in this State approved as a special education facility by the Department.

(b) (1) Unless evidence is presented that a student has been tested by an optometrist or ophthalmologist within the past year, the screenings required under subsection (a) of this section shall be given in the year that a student enters a school system, enters the first grade, and enters the eighth or ninth grade.

(2) Further screening shall be done in accordance with:

(i) The bylaws adopted by the State Board; or

(ii) Policies adopted by a county board or a county health department.

(c) (1) The results of the hearing and vision screenings required by this section shall be:

(i) Made a part of the permanent record file of each student;

(ii) Given to the parents or guardians of each student, with educational materials that include the following:

1. A disclaimer that a vision screening is not a substitute for a comprehensive eye exam performed by an optometrist or ophthalmologist;

2. An overview of visual impairments and an explanation of the potential educational impact of untreated visual impairments; and

3. A list of at-risk groups that are encouraged to have a comprehensive eye examination by an optometrist or ophthalmologist; and

(iii) Reported to the county board or the county health department.

(2) Additional information shall be provided to the parents or guardians of a student who fails the vision screening that includes:

(i) Notice that the results of the screening indicate that the student may have a vision disorder;

(ii) A recommendation to the parent or guardian that the student be tested by an optometrist or ophthalmologist;

(iii) A description of the warning signs, symptoms, risk factors, and behavioral problems associated with vision disorders or eye conditions;

(iv) A description of the difference between eye examinations and the vision screenings required under this section;

(v) Information on how to enroll in the Maryland Medical Assistance Program; and

(vi) Information on locally available free or low-cost nonprofit programs that provide eye examinations and eyeglasses for children, if any.

(d) On a form provided by the county board or the county health department, a parent or guardian shall report to the county board or the county health department on the recommended services received by a student who failed the screenings.

(e) (1) The county board or the county health department shall report to the Maryland Department of Health:

(i) The results of the hearing and vision screenings; and

(ii) To the extent practicable, the number of students receiving the recommended services.

(2) The Maryland Department of Health shall:

(i) Review the reports submitted under this subsection; and

(ii) In counties where fewer than 50% of students who have failed the screenings are receiving the recommended services, coordinate with the county board or the county health department to implement measures to improve the number of students receiving the recommended services.

(f) In cooperation with the Maryland Department of Health, the Department of Education shall adopt standards, rules, and regulations to carry out the provisions of this section.

(g) A student whose parent or guardian objects in writing to hearing and vision screening on the ground that it conflicts with the tenets and practice of a recognized church or religious denomination of which he is an adherent or member may not be required to take these screenings.

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